



U.S. Department of Justice

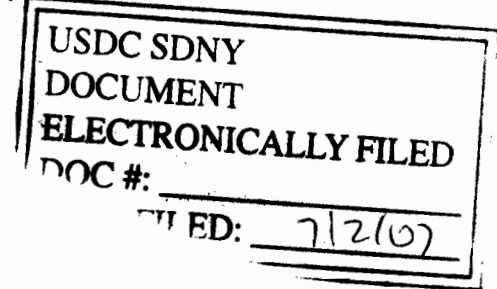
United States Attorney
Southern District of New York

*The United States Courthouse
One United Nations Plaza
New York, New York 10007*
MEMO ENDORSED

June 21, 2007

By Facsimile

The Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 920
New York, New York 10007-1312



Re: United States v. Montgomery, et al.
S4 05 Cr. 1067 (KMK)

Dear Judge Karas:

The Government respectfully submits this letter to request that the Court permit the Government to file one brief in response to all of the defendants' post-trial motions.

At the conclusion of trial, the Court set June 11, 2007, at the date by which the defendants should file post-trial motions and July 11, 2007, as the date by which the Government should respond.

Defendants Montgomery and Pitambar filed post-trial motions on June 11, 2007. Defendant Alexander requested, and the Court granted him, until July 11, 2007, to file post-trial motions. The Court permitted the Government until August 10, 2007, to respond to Alexander's post-trial motions.

In order to most efficiently brief the issues raised by defense counsel and avoid duplicative briefing, the Government requests that the Court permit the Government until August 10, 2007, to respond to all of the defendants' post-trial motions. This will permit the Government to file one omnibus brief responding to all of the issues raised by the defendants. The Court has scheduled October 12, 2007, as the date for sentencing and respectfully submits that the requested modification of the briefing schedule will not delay any sentencing.

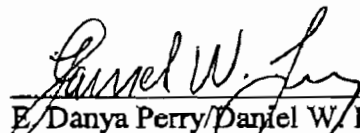
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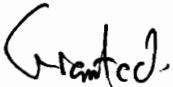
Based on electronic mail exchanged with counsel for Montgomery and Pitambar, I can represent that they consent to the modification of the briefing schedule requested by the Government.

Respectfully submitted,


MICHAEL J. GARCIA
United States Attorney

By:


E. Danya Perry/Daniel W. Levy
Assistant United States Attorneys
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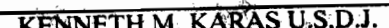
SO ORDERED:


The Honorable Kenneth M. Karas
United States District Judge

Dated: June 21, 2007

cc: (by facsimile)
Thomas H. Nooter, Esq.
Denis P. Kelleher, Jr., Esq.
Bryan H. Hoss, Esq.
Bruce A. Barket, Esq.

SO ORDERED


KENNETH M. KARAS U.S.D.J.